110TH CONGRESS 1ST SESSION

S. 732

To empower Peace Corps volunteers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

March 1, 2007

Mr. Dodd (for himself and Mr. Kennedy) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To empower Peace Corps volunteers, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Peace Corps Volunteer
- 5 Empowerment Act".
- 6 SEC. 2. TABLE OF CONTENTS.
- 7 The table of contents for this Act is as follows:
 - Sec. 1. Short title.
 - Sec. 2. Table of contents.

TITLE I—PROMOTION OF PEACE CORPS PROJECTS AND GOALS

- Sec. 101. Seed funding for volunteer projects.
- Sec. 102. Charitable fundraising by Peace Corps volunteers.
- Sec. 103. Programs and projects of returned Peace Corps volunteers to promote the goals of the Peace Corps.
- Sec. 104. Recruitment of experienced volunteers.

Sec. 105. Digital Peace Corps.

TITLE II—EMPOWERMENT OF PEACE CORPS VOLUNTEERS

- Sec. 201. Participation of Peace Corps volunteers in reviews of senior staff and programs.
- Sec. 202. Volunteer Advisory Committees.
- Sec. 203. Input of volunteers regarding site selection and training curriculum.

TITLE III—PERSONNEL ISSUES AND BENEFITS

- Sec. 301. Reforms to medical screening process.
- Sec. 302. Health insurance coverage for retirees who serve as Peace Corps volunteers.
- Sec. 303. Report on costs associated with extending post-service health coverage.
- Sec. 304. Sense of Congress on need for special rule for Peace Corps volunteers and employees in determining exclusion of gain from sale of principal residence.
- Sec. 305. Treasury guidance regarding tax deductions.
- Sec. 306. Protecting rights of Peace Corps volunteers.
- Sec. 307. Financial guide for Peace Corps volunteers and applicants.

TITLE IV—AUTHORIZATION OF APPROPRIATIONS

Sec. 401. Authorization of appropriations.

1 TITLE I—PROMOTION OF PEACE 2 CORPS PROJECTS AND GOALS

- 3 SEC. 101. SEED FUNDING FOR VOLUNTEER PROJECTS.
- 4 (a) FINDINGS.—Congress makes the following find-
- 5 ings:
- 6 (1) The Peace Corps is an agency focused on
- 7 grassroots, bottom-up development.
- 8 (2) Seed funding for local demonstration
- 9 projects is crucial to the success of Peace Corps vol-
- unteers.
- 11 (3) Demonstration projects are a very effective
- method for Peace Corps volunteers to educate people
- in host countries.

- 1 (b) Funding.—There is authorized to be appro-
- 2 priated up to 1 percent of the total amount appropriated
- 3 for the Peace Corps for fiscal year 2008 and each fiscal
- 4 year thereafter for seed funding for Peace Corps volun-
- 5 teers to carry out demonstration projects that have been
- 6 approved in advance by the Peace Corps Country Director
- 7 in the country where the volunteer is serving.
- 8 (c) SEED FUND AWARDS.—

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- (1) AVAILABILITY OF FUNDS.—The Director of the Peace Corps shall determine at the beginning of each fiscal year the amount of funding that will be available as seed money for demonstration projects for that fiscal year and inform each Country Director of the portion of that amount that will be available to distribute to volunteers under the supervision of such Country Director.
 - (2) AWARDING OF FUNDS.—The Director of the Peace Corps shall promulgate rules pursuant to which each Country Director may award seed funds made available under this section to eligible Peace Corp volunteers.
- (3) ELIGIBILITY.—To be eligible for a seed fund award under this subsection, a Peace Corps volunteer shall—

1	(A) submit to the Country Director of the
2	country where the volunteer is serving a plan
3	for a demonstration project, including an expla-
4	nation of how the demonstration project will
5	lead to sustainable development; and
6	(B) make a written attestation that funds
7	awarded under this subsection are utilized for
8	the purposes specified in the plan.
9	(4) Amount of Awards.—A seed fund award
10	provided to a volunteer under this subsection may
11	not exceed \$1,000.
12	(5) Report.—Each Peace Corps volunteer who
13	receives a seed fund award under this subsection
14	shall submit to the Country Director of the country
15	where the volunteer is serving before the close of
16	such volunteer's service a report on the demonstra-
17	tion project funded by the award.
18	SEC. 102. CHARITABLE FUNDRAISING BY PEACE CORPS
19	VOLUNTEERS.
20	(a) Sense of Congress on Assistance in Fund-
21	RAISING.—It is the sense of Congress that Peace Corps
22	volunteers should apply for grants and loans from non-
23	governmental organizations to carry out demonstration

24 projects, including by partnering with governmental and

nongovernmental agencies and working with host country 2 nationals. 3 (b) Fundraising by Volunteers.— 4 (1) Authority.— (A) In General.—Subject to subpara-6 graph (B), Peace Corps volunteers are author-7 ized to solicit contributions for demonstration 8 projects from persons personally known to 9 them, including family members, friends, and 10 members of their home community in the 11 United States, and from government and non-12 governmental agencies, including by working 13 through the Peace Corps Partnership Program. 14 Any such solicitation shall state the demonstra-15 tion project or projects to which contributed funds will be applied. 16 17 (B) APPROVAL.—A REQUIRED 18 Corps volunteer shall seek and receive advance 19 approval from the Country Director of the 20 country where the volunteer is serving before exercising the authority under subparagraph 21

(2) Accountability.—Peace Corps volunteers receiving contributions pursuant to the authority under paragraph (1) shall—

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1	(A) maintain records and receipts to con-
2	firm the proper application of contributed
3	funds; and
4	(B) ensure that such funds are expended
5	solely for the demonstration project or projects
6	for which they were intended.
7	SEC. 103. PROGRAMS AND PROJECTS OF RETURNED PEACE
8	CORPS VOLUNTEERS TO PROMOTE THE
9	GOALS OF THE PEACE CORPS.
10	(a) Purpose.—The purpose of this section is to pro-
11	vide support for returned Peace Corps volunteers to de-
12	velop and carry out programs and projects to promote the
13	third purpose of the Peace Corps Act, as set forth in sec-
14	tion 2(a) of that Act (22 U.S.C. 2501(a)), relating to pro-
15	moting an understanding of other peoples on the part of
16	the American people.
17	(b) Grants to Certain Nonprofit Corporations
18	AND RETURNED PEACE CORPS VOLUNTEERS.—
19	(1) Grant authority.—The Director of the
20	Peace Corps shall award grants on a competitive
21	basis to private nonprofit corporations and returned
22	Peace Corps volunteers for the purpose of enabling
23	returned Peace Corps volunteers to use their knowl-
24	edge and expertise to develop programs and projects
25	to carry out the purpose described in subsection (a).

1	(2) Programs and Projects.—The programs
2	and projects that may receive grant funds under this
3	section include—
4	(A) educational programs designed to en-
5	rich the knowledge and interest of elementary
6	school and secondary school students in the ge-
7	ography and cultures of other countries where
8	the volunteers have served;
9	(B) projects that involve partnerships with
10	local libraries to enhance community knowledge
11	about other peoples and countries; and
12	(C) audiovisual projects that utilize mate-
13	rials collected by the volunteers during their
14	service that would be of educational value to
15	communities.
16	(3) Eligibility.—
17	(A) RETURNED PEACE CORPS VOLUN-
18	TEERS.—To be eligible for a grant under this
19	section, an individual who has served as a
20	Peace Corps volunteer shall have successfully
21	completed all aspects of the volunteer's required
22	Peace Corps service.
23	(B) Nonprofit corporations.—To be
24	eligible for a grant under this section, a non-
25	profit corporation shall have a board of direc-

- tors composed of one or more returned Peace
 Corps volunteers with a background in community service, education, or health.
- 4 (C) REGULATIONS.—Not later than 60 days after the date of the enactment of this 6 Act, the Director of the Peace Corps shall pro-7 mulgate rules and guidelines as to the appro-8 priate accounting and audit standards and 9 other reporting requirements that must be ad-10 hered to by an individual or nonprofit corpora-11 tion as a condition of eligibility to receive 12 grants under this section.
- 13 (c) STATUS OF THE FUND.—Nothing in this section
 14 shall be construed to make any individual or nonprofit cor15 poration supported under this section an agency or estab16 lishment of the Federal Government or to make any mem17 ber of the board of directors or any officer or employee
 18 of such nonprofit corporation an officer or employee of the
 19 United States.
- 20 (d) Congressional Oversight.—Grant recipients 21 under this section shall be subject to the appropriate over-22 sight procedures of Congress.
- (e) Funding.—
- 24 (1) IN GENERAL.—In addition to any other 25 funds made available to the Peace Corps under any

- other provision of law, there is authorized to be appropriated for the Peace Corps for fiscal year 2008 and each fiscal year thereafter \$10,000,000 to carry
- 5 (2) AVAILABILITY.—Amounts appropriated pur-6 suant to paragraph (1) are authorized to remain 7 available until expended without regard to fiscal 8 year.

9 SEC. 104. RECRUITMENT OF EXPERIENCED VOLUNTEERS.

- 10 (a) FINDINGS.—Congress makes the following find-11 ings:
- (1) The vast majority of Peace Corps volunteers
 have recently graduated from college.
 - (2) The Peace Corps should include among its ranks more experienced individuals as Peace Corps volunteers to help meet specific development needs in certain countries and to serve as mentors for less experienced volunteers.

(b) Recruitment Goal.—

out this section.

(1) IN GENERAL.—The Director of the Peace Corps shall set a goal of doubling by December 31, 2009, the number of Peace Corps volunteers with at least 5 years of relevant work experience serving in the Peace Corps and shall implement measures to achieve such goal.

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- 1 (2) Reports.—The Director shall periodically
- 2 report to Congress the progress made in achieving
- 3 the recruitment goal established pursuant to para-
- 4 graph (1).
- 5 (c) Survey of Experienced Volunteers.—The
- 6 Director of the Peace Corps shall conduct, every 2 years,
- 7 a survey of Peace Corps volunteers with substantial work
- 8 experience who are serving in country to determine what
- 9 additional actions would reduce or eliminate disincentives
- 10 and barriers to service for Peace Corps volunteers with
- 11 substantial work experience.
- 12 (d) Plan for Eliminating Disincentives.—The
- 13 Director of the Peace Corps shall direct a study on the
- 14 disincentives and barriers to service for Peace Corps vol-
- 15 unteers with substantial work experience and shall estab-
- 16 lish and report to Congress on a plan for eliminating such
- 17 disincentives and barriers. The plan shall include the de-
- 18 velopment and use of substantial written language cur-
- 19 riculum materials designed to facilitate the learning of for-
- 20 eign languages by Peace Corps volunteers with varying de-
- 21 grees of work experience and academic training.
- (e) Demonstration Program.—The Director of
- 23 the Peace Corps shall designate for each of fiscal years
- 24 2008, 2009, and 2010 at least 20 sector-specific programs
- 25 in at least 20 different countries for which a minimum

1	of 5 years of relevant work experience shall be required
2	of Peace Corps volunteers. The Director shall evaluate the
3	issues that arise with respect to those programs as they
4	are implemented and conducted.
5	SEC. 105. DIGITAL PEACE CORPS.
6	The Director of the Peace Corps shall establish a sys-
7	tem for promoting, by electronic means, improved commu-
8	nication among Peace Corps volunteers and staff, includ-
9	ing the establishment of websites and e-mail links for use
10	on a password-only basis by Peace Corps volunteers in
11	country to discuss development strategies, funding
12	sources, and other issues. All close of service reports shall
13	be available on such websites or e-mail links.
14	TITLE II—EMPOWERMENT OF
15	PEACE CORPS VOLUNTEERS
16	SEC. 201. PARTICIPATION OF PEACE CORPS VOLUNTEERS
17	IN REVIEWS OF SENIOR STAFF AND PRO-
18	GRAMS.
19	(a) Reviews of Senior Staff.—
20	(1) In general.—The Director of the Peace
21	Corps shall establish a mechanism for soliciting the
22	views of Peace Corps volunteers serving in country
23	regarding the support provided by senior staff. The

information shall be kept confidential and reported

to the appropriate Regional Peace Corps Directors.

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1 (2) Consideration of reviews in connec-2 Tion with contract decisions.—The information 3 collected pursuant to paragraph (1) shall be given 4 appropriate weight in the decisionmaking process 5 with respect to the extension of contracts for Coun-6 try Directors, Chief Administrative Officers, Peace 7 Corps Medical Officers, and Associate Peace Corps 8 Directors.

(b) Reviews of Peace Corps Programs.—

- (1) In General.—The Director of the Peace Corps shall establish a mechanism for soliciting the views of Peace Corps volunteers serving in country regarding the design, effectiveness, and continued need for the programs in which they serve. The information shall be kept confidential and reported to the appropriate Regional Peace Corps Directors.
- (2) Consideration of Reviews in Connection with Program decisions.—The information collected pursuant to paragraph (1) shall be given appropriate weight in the decisionmaking process with respect to the design of, and continued need for, Peace Corps programs.

23 SEC. 202. VOLUNTEER ADVISORY COMMITTEES.

(a) In General.—There shall be established in eachcountry in which Peace Corps programs exist a Volunteer

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1	Advisory Committee composed of representatives elected
2	from among the volunteers serving in such country.
3	(b) Duties.—Each Volunteer Advisory Committee
4	shall meet at least quarterly to make recommendations to
5	the Country Director, Chief Administrative Officer, Asso-
6	ciate Peace Corps Directors, and Peace Corps Medical Of-
7	ficers serving in that country. The recommendations shall
8	be forwarded to the Regional Peace Corps Director.
9	(c) RESPONSIVENESS TO RECOMMENDATIONS A FAC-
10	TOR IN PERFORMANCE REVIEWS.—The responsiveness of
11	the senior staff described in subsection (b) to Volunteer
12	Advisory Committee recommendations shall be given ap-
13	propriate weight in the decisionmaking process with re-
14	spect to performance reviews and extensions of contracts.
15	SEC. 203. INPUT OF VOLUNTEERS REGARDING SITE SELEC-
16	TION AND TRAINING CURRICULUM.
17	Associate Peace Corps Directors shall give substan-
18	tial weight to the recommendations of Peace Corps volun-
19	teers regarding—
20	(1) Peace Corps site selection, including the

- 20 (1) Peace Corps site selection, including the 21 placement of additional or subsequent Peace Corps 22 volunteers at existing sites; and 23 (2) the training curriculum for Peace Corps vol-
- 23 (2) the training curriculum for Peace Corps vol-24 unteers.

1 TITLE III—PERSONNEL ISSUES 2 AND BENEFITS

3	SEC. 301. REFORMS TO MEDICAL SCREENING PROCESS.
4	As part of the effort to recruit more experienced
5	Peace Corps volunteers, the director of the Peace Corps
6	shall reform the medical screening process used by the
7	Peace Corps. The reforms shall include the following
8	measures:
9	(1) Publication on the Internet website of the
10	Peace Corps the Medical Screening Guidelines used
11	by the Peace Corps, including a listing of—
12	(A) medical conditions that typically dis-
13	qualify individuals from serving as Peace Corps
14	volunteers; and
15	(B) medical conditions that typically lead
16	to a medical accommodation and a listing of
17	countries available to accept volunteers with
18	such medical accommodations.
19	(2) Establishment of a process for applicants
20	and other interested parties to propose changes to
21	the Medical Screening Guidelines.
22	(3) Establishment of a process allowing volun-
23	teers to appeal rejections on medical grounds, in-
24	cluding the right to base an appeal on the inad-
25	equacy of the Medical Screening Guidelines.

- 1 (4) Publication on the Internet website of the 2 Peace Corps of a detailed description of the medical 3 screening process applicable to Peace Corps volun-4 teers, including definitions of all applicable terms of 5 art.
 - (5) Improved information for Peace Corps volunteers and applicants regarding the meaning and implications of failure to disclose medical information.
- 10 (6) Full reimbursement for medical tests re-11 quired by the Peace Corps of volunteers and appli-12 cants.
- 13 SEC. 302. HEALTH INSURANCE COVERAGE FOR RETIREES
- 14 WHO SERVE AS PEACE CORPS VOLUNTEERS.
- 15 (a) FINDINGS.—Congress makes the following find-16 ings:
- 17 (1) Peace Corps volunteers, who receive health 18 care benefits from the Peace Corps during their 19 service, have the right, pursuant to regulations pro-20 mulgated by the Office of Personnel Management 21 (subpart C of part 890 of title 5, Code of Federal 22 Regulations), to suspend Federal health benefits cov-23 erage during their terms of service, when they re-24 ceive benefits provided by the Peace Corps, and re-

sume enrollment when their service is complete.

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- 1 (2) Peace Corps volunteers do not have the 2 same right of reenrollment with respect to health 3 benefits coverage provided by State and local govern-4 ments, private entities, and other organizations, 5 which serves as a substantial financial disincentive 6 for retirees to serve as volunteers.
- 7 (b) REENROLLMENT PRIVILEGES.—The Director of 8 the Peace Corps shall seek to secure the right for Peace 9 Corps volunteers to suspend enrollment in retiree health 10 plans of State and local governments, private entities, and 11 other organizations during their terms of service and to 12 resume enrollment after completion of such service.

13 SEC. 303. REPORT ON COSTS ASSOCIATED WITH EXTEND-

14 ING POST-SERVICE HEALTH COVERAGE.

Not later than 90 days after the date of the enactment of this Act, the Director of the Peace Corps shall submit to Congress a report on the costs and policy issues associated with extending the one-month period of health coverage provided to Peace Corps volunteers upon comple-

tion of their terms of service by an additional 5 months.

1	SEC. 304. SENSE OF CONGRESS ON NEED FOR SPECIAL
2	RULE FOR PEACE CORPS VOLUNTEERS AND
3	EMPLOYEES IN DETERMINING EXCLUSION OF
4	GAIN FROM SALE OF PRINCIPAL RESIDENCE.
5	It is the sense of Congress that the Department of
6	the Treasury should propose and Congress should enact
7	legislation to provide tax treatment related to gain from
8	sales of principal residence by Peace Corps volunteers dur-
9	ing their period of active service that is similar to the
10	treatment given members of the uniformed services and
11	the foreign service.
12	SEC. 305. TREASURY GUIDANCE REGARDING TAX DEDUC-
13	TIONS.
14	The Secretary of the Treasury shall, in consultation
15	with the Director of the Doors Come multiple grideness
	with the Director of the Peace Corps, publish guidance
	with respect to expenses which may be deducted from
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16 17	with respect to expenses which may be deducted from
16 17	with respect to expenses which may be deducted from gross income that are pertinent to individuals enrolled as
161718	with respect to expenses which may be deducted from gross income that are pertinent to individuals enrolled as volunteers or volunteer leaders under the Peace Corps Act
16171819	with respect to expenses which may be deducted from gross income that are pertinent to individuals enrolled as volunteers or volunteer leaders under the Peace Corps Act (22 U.S.C. 2501 et seq.).
16 17 18 19 20	with respect to expenses which may be deducted from gross income that are pertinent to individuals enrolled as volunteers or volunteer leaders under the Peace Corps Act (22 U.S.C. 2501 et seq.). SEC. 306. PROTECTING RIGHTS OF PEACE CORPS VOLUN-
16171819202122	with respect to expenses which may be deducted from gross income that are pertinent to individuals enrolled as volunteers or volunteer leaders under the Peace Corps Act (22 U.S.C. 2501 et seq.). SEC. 306. PROTECTING RIGHTS OF PEACE CORPS VOLUNTEERS.
16171819202122	with respect to expenses which may be deducted from gross income that are pertinent to individuals enrolled as volunteers or volunteer leaders under the Peace Corps Act (22 U.S.C. 2501 et seq.). SEC. 306. PROTECTING RIGHTS OF PEACE CORPS VOLUNTEERS. (a) CONDUCT SUBJECT TO TERMINATION.—The Di-

1	the Peace Corps Manual and that volunteers are made
2	fully aware of the consequences of such violations.
3	(b) Whistleblower Protection.—The Director
4	of the Peace Corps shall ensure that Peace Corps volun-
5	teers reporting the misconduct of Peace Corps staff or ad-
6	vocating for reforms are treated in accordance with the
7	provisions of chapter 23 of title 5, United States Code,
8	prohibiting certain personnel practices (commonly referred
9	to as whistleblower protection provisions).
10	(c) Right To Publish Without Prior Ap-
11	PROVAL.—
12	(1) In general.—Except as provided in para-
13	graph (2), Peace Corps volunteers shall not be re-
14	quired to submit stories, articles, or other material
15	they publish to Country Directors for prior approval.
16	(2) Exception related to country-spe-
17	CIFIC MATERIAL.—
18	(A) APPROVAL REQUIREMENT.—A Peace
19	Corps volunteer shall be required to submit to
20	a Country Director for review and prior ap-
21	proval any stories, articles, or other material
22	that the volunteer intends to publish that relate
23	specifically to the Peace Corps program oper-

ating in the country where the volunteer is serv-

1	ing or to policies or actions by officials of the
2	government of such country.
3	(B) RIGHT TO APPEAL.—The decision of a
4	Country Director regarding material submitted
5	for approval under subparagraph (A) shall be
6	appealable to the Regional Peace Corps Direc-
7	tor.
8	SEC. 307. FINANCIAL GUIDE FOR PEACE CORPS VOLUN-
9	TEERS AND APPLICANTS.
10	The Peace Corps shall publish a financial guide for
11	Peace Corps volunteers and applicants regarding how to
12	manage finances in the United States while serving
13	abroad.
14	TITLE IV—AUTHORIZATION OF
15	APPROPRIATIONS
16	SEC. 401. AUTHORIZATION OF APPROPRIATIONS.
17	Section 3(b)(1) of the Peace Corps Act (22 U.S.C.
18	2502(b)(1)) is amended to read as follows:
19	"(1) There are authorized to be appropriated to carry
20	out the purposes of this Act \$336,000,000 for fiscal year
21	2008, \$380,000,000 for fiscal year 2009, \$450,000,000
22	for fiscal year 2010, and \$618,000,000 for fiscal year
23	2011.".